IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

Crl.Rev.Pet.No. 466 of 2007()

CMP.3683/2006 & CMP.4093/2006 of JUDL.MAGISTRATE OF FIRST CLASS COURT, PAYYANNUR

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REVN. PETITIONER: PETITIONER/PETITIONER

M/S. SHRIRAM TRANSPORT FINANCE CO. LTD.,
KANNUR.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENTS: ACCUSED & COMPLAINANT

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1. LINO MANUEL, S/O. MANI,
CHERUPUZHA, KANNUR DISTRICT.

2. STATE OF KERALA, REP. BY THE
S.I. OF POLICE, PERINGOURE POLICE STATION,
KANNUR.

BY ADV. SRI.M.SANTHOSHKUMAR
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR,J.

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CRL.R.P. 466 of 2007

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Dated, this the 3rd day of August 2007

O R D E R

The de facto complainant who is the financier in respect of a lorry challenges the common order dated 9-1-2007 in C.M.P. Nos. 3683 and 4093 of 2006. As per the impugned order the learned Magistrate granted interim custody under Sec. 451 Cr.P.C. of the lorry in question to the accused and rejected the claim for interim custody by the revision petitioner/de facto complainant. In as much as the impugned order is an interlocutory order as between the parties to the complaint, this revision is not maintainable by virtue of Sec. 397 (2) Cr.P.C. See also **Yadav Agencies Pvt.Ltd. v. Philomina - 1985 KLT (SN) 35.**

This Revision is accordingly dismissed as not maintainable.

V.RAMKUMAR, JUDGE.

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V.RAMKUMAR,J.

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CRL.R.P. 466 of 2007

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Dated, this the
3rd day of August 2007

O R D E R